

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CLOANTO CORPORATION, AMIGA, INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiffs,

- against -

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA

Counterclaim Plaintiff,

- against -

CLOANTO CORPORATION, AMIGA, INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counterclaim Defendants.

Civil Action No.: 2:18-cv-00381-RSM
(consolidated with 2:18-cv-00535)

**STIPULATED MOTION TO
CONTINUE TRIAL DATE AND
RELATED DATES BY THREE
MONTHS TO FACILITATE
SETTLEMENT DISCUSSIONS**

NOTE ON MOTION CALENDAR:
October 6, 2020

STIPULATION

Defendant/Counterclaim Plaintiff Hyperion Entertainment CVBA (“Defendant”), together with Plaintiffs/Counter-Defendants Cloanto Corporation, Amiga, Inc., Amino Development Corporation, and Itec, LLC (“Plaintiffs”) (collectively, the “Parties”), pursuant to LCR 7(d)(1) and LCR 10(g), jointly move the Court for an order extending, by approximately three months, the dates in the Court’s Order of July 21, 2020 (Dkt. No. 94). The Parties submit there is good cause to modify the current case schedule, for the reasons set forth below.

The Parties have resumed substantial and earnest settlement discussions to resolve all of the matters between them, including those at issue in this consolidated proceeding. However, the Parties’ principals reside in Belgium and northern Italy, which the COVID-19 crisis has hit particularly hard. The additional time the Parties request will enable them to focus exclusively on trying to settle this dispute without further assistance from this Court. Accordingly, the Parties respectfully request that the Court extend the remaining deadlines as follows:

<u>Deadline/Event</u>	<u>Current</u>	<u>Proposed</u>
All dispositive motions must be filed by and Noted on the motion calendar no later than the THIRD Friday thereafter	11/05/2020	02/05/2021
Mediation per LCR 39.1(c)(3), if requested held no later than	12/17/2020	03/17/2021
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	01/07/2021	04/07/2021
Agreed pretrial order due	01/22/2021	04/22/2021
Pretrial conference to be scheduled by the Court		
Trial brief, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due	01/29/2021	04/29/2021

The Parties' joint request is not sought for purposes of delay. Rather, due to the complexity of the issues for settlement, coupled by the COVID-19 crisis, the Parties believe that a three-month extension is necessary to afford them the opportunity to settle all issues that may arise in the future.

Respectfully submitted this Wednesday, October 7, 2020.

By /s/ Gordon E. R. Troy

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Attorneys for Cloanto Corporation,
Amiga, Inc., Amino Development Corporation,
and Itec, LLC

ORDER

SO ORDERED, the new Trial Date is 5/03/2021.

DATED this 7th day of October, 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the Wednesday, October 7, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gordon E. R. Troy, gtroy@webtm.com

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